UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/525,099	02/06/2006	Naoki Muramatsu	9683/230	5656

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INDIANAPOLIS OFFICE 27879
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EXAMINER
KARIKARI, KWASI

ART UNIT	PAPER NUMBER
2617	

NOTIFICATION DATE	DELIVERY MODE
09/12/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentofficeactions@brinkshofer.com
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PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Advisory Action *Before the Filing of an Appeal Brief*	10/525,099	MURAMATSU ET AL.
	Examiner	Art Unit	
	Kwasi Karikari	2617	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED <u>19 July 2007</u> FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

   a) ☒ The period for reply expires <u>3</u> months from the mailing date of the final rejection.

   b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

   Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

<u>NOTICE OF APPEAL</u>

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

<u>AMENDMENTS</u>

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will <u>not</u> be entered because

   (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);

   (b) ☐ They raise the issue of new matter (see NOTE below);

   (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

   (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

   NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).

5. ☐ Applicant's reply has overcome the following rejection(s): _____.

6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

   The status of the claim(s) is (or will be) as follows:

   Claim(s) allowed: _____.

   Claim(s) objected to: _____.

   Claim(s) rejected: _____.

   Claim(s) withdrawn from consideration: _____.

<u>AFFIDAVIT OR OTHER EVIDENCE</u>

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will <u>not</u> be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).

9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will <u>not</u> be entered because the affidavit or other evidence failed to overcome <u>all</u> rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).

10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

<u>REQUEST FOR RECONSIDERATION/OTHER</u>

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: <u>See Continuation Sheet.</u>

12. ☒ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). <u>08/08/2007</u>

13. ☐ Other: _____.

U.S. Patent and Trademark Office

PTOL-303 (Rev. 08-06)   Advisory Action Before the Filing of an Appeal Brief   Part of Paper No. 20070830

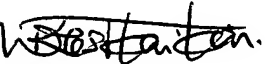Continuation of 11. does NOT place the application in condition for allowance because:

Response to argument

a.   In the remarks, the Applicant argues, in reference to claim 6, that Shannon fails to teach "an access points, registration in a memory of a communication terminal of portal sites and corresponding access points and denying access in response to a site being a first portal site that shares an access point with a registered portal site"

The Examiner disagrees with such assertions. Shannon discloses an access points and registration in a memory of a communication terminal of portal sites and corresponding access points and denying access in response to a site being a first portal site that shares an access point with a registered portal site (= website/restricted destination, see col. 3, line 59- col. 4, line 43 and col. 8, line 24-30; URL matches restricted destination; device access, see col. 14, lines 16-48).

b. ·   With regard to claim 7, the Applicant argues that Shannon fails to teach "identifying additional portal sites associated with an access point of a portal site registered in a memory of a communication terminal".·

However the Examiner noticed that the claimed features, "identifying additional portal sites associated with an access point of a portal site registered in a memory of a communication terminal", upon which the Applicant relies are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See In re Van Geuns, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

c.   With regard to claim 12, the Applicant argues that Shannon fails to teach "a portal site of a service provider that is associated with an access point" and "denial of transmittal of a request in response to a uniform resource locator being related to another portal site associated with an access point".

The Examiner disagrees with such assertions. Shannon discloses a portal site of a service provider that is associated with an access point and denial of transmittal of a request in response to a uniform resource locator being related to another portal site associated with an access point (see col. 3, line 59- col. 4, line 5; and col. 14, lines 16-48).

d.   With regard to claim 14, the Applicant argues that Shannon fails to teach
 "instructions to read from memory an access point that corresponds to a portal site".

However the Examiner noticed that the claimed features, "instructions to read from memory an access point that corresponds to a portal site", upon which the Applicant relies are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See In re Van Geuns, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

e.   With regard to claims 17 and 18, the Applicant argues that Shannon fails to teach
 "downloaded and native applications, and clearly does not teach or suggest denial of transmittal of a request only when the request is generated from a downloaded application".

The Examiner disagrees with such assertions. Shannon discloses downloaded and native applications, and clearly does not teach or suggest denial of transmittal of a request only when the request is generated from a downloaded application (see col. 13, line 1-51; col. 14, lines 49-65; and col. 14, lines 49-65).

f.   With regard to claim 19, the Applicant argues that Shannon fails to teach "a communication terminal, profiles stored in memory that each include an identifier of a provider portal site and a corresponding identifier of an access point operable to communicate with other communication networks, a display unit and a "determination of a provider portal site that is associated with an identifier of an access point selected from one of a plurality of stored profiles".

The Examiner disagrees with such assertions. Shannon discloses a communication terminal (devices 50-53 working/integrating in computer environment 30, see Fig. 1), profiles stored in memory that each include an identifier of a provider portal site and a corresponding identifier of an access point operable to communicate with other communication networks (see col. 3, line 59- col. 4, line 43 and col. 8, line 24-30), a display unit (using browser via devices 50-53, see Fig. 1 and col. 11, line 57- col. 14, line 52); and a determination of a provider portal site that is associated with an identifier of an access point selected from one of a plurality of stored profiles (website/restricted destination; and see col. 14, lines 16-48).

g.   With regard to claim 20, the Applicant argues that Shannon fails to teach "an identifier of an access point in a selected one of the profiles is also present in another one of the profiles".

The Examiner disagrees with such assertions. Shannon discloses an identifier of an access point in a selected one of the profiles is also present in another one of the profiles (see col. 14. lines 16-65).

h.   With regard to claims 15,16 and 22 the Applicant argues that Shannon fails to teach "storage of an application in read only memory and storage of domain names in random access memory, a downloaded application stored in non-volatile memory and a downloaded application and profiles that are stored in non-volatile memory, and a designation of inhibited sites stored in random access memory"

The Examiner disagrees with such assertions. The combination of Shannon and Bajikar discloses a storage of an application in read only memory and storage of domain names in random access memory, a downloaded application stored in non-volatile memory and a downloaded application and profiles that are stored in non-volatile memory, and a designation of inhibited sites stored in random access memory (see Bajikar; Par. 0019).

Therefore the combination of Shannon and Bajikar indeed teaches the claimed limitations and the rejections are proper and maintained as set forth in the Final Office action. Any changes to further clarify the Applicant's invention would require further search and reconsideration.

2

Conclusion

Examiner's Note: Examiner has cited particular columns and line numbers in the references applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kwasi Karikari whose telephone number is 571-272-8566. The examiner can normally be reached on M-F (8 am - 4pm). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rafael Pérez-Gutiérrez can be reached on 571-272-7915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8566. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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09/04/2007

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